



Docket No.: G0744.70031US03  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Li-How Chen et al.  
Serial No.: 10/082,018  
Confirmation No.: 8070  
Filed: February 20, 2002  
For: NOVEL MODIFIED MSP-1 NUCLEIC ACID SEQUENCES AND  
METHODS FOR INCREASING MRNA LEVELS AND PROTEIN  
EXPRESSION IN CELL SYSTEMS  
Examiner: D. Crouch  
Art Unit: 1632

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 24, 2007

(Nicole Millette Hawes)

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114 (37 CFR 1.97(b)(4)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International or Foreign National Application.

<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type(s) of Communication</u>	<u>Docket No.</u>
EP 04022373.7	Jan. 26, 2006	European Search Report	G0744.70037EP01

The Applicant would like to bring to the Examiner's attention the following other information:

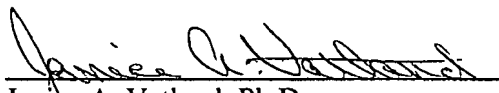
- Office Communication mailed 10/18/2006 for Application No. 10/949,975 (G0744.70037US03)
- Amendment filed in Response on 4/18/2007 for Application No. 10/949,975 (G0744.70037US03)
- Amendment filed in Response on 6/8/2007 for Application No. 10/949,975 (G0744.70037US03)
- Office Communication mailed 7/26/2007 for Application No. 10/949,975 (G0744.70037US03)
- Office Communication mailed 6/20/2000 for Application No. 09/175,684 (G0744.70031US02)
- Amendment filed in Response on 12/20/2000 for Application No. 09/175,684 (G0744.70031US02)
- Office Communication mailed 3/14/2001 for Application No. 09/175,684 (G0744.70031US02)
- Amendment filed in Response on 8/14/2001 for Application No. 09/175,684 (G0744.70031US02)
- Notice of Allowance with Interview Summary and Examiner's Amendment mailed 11/19/2001 for Application No. 09/175,684 (G0744.70031US02)
- Interview Summary mailed 1/23/2002 for Application No. 09/175,684 (G0744.70031US02)
- Amendment Filed in Response on 09/18/2002 for Application No. 09/175,684 (G0744.70031US02)
- Amendment Filed in Response on 09/23/2002 for Application No. 09/175,684 (G0744.70031US02)
- Notice of Allowance with Interview Summary and Examiner's Amendment mailed 11/13/2002 for Application No. 09/175,684 (G0744.70031US02)
- Office Communication mailed 11/18/2005 for Application No. 11/140,676 (G0744.70031US04)
- Amendment filed in Response on 11/29/2005 for Application No. 11/140,676 (G0744.70031US04)
- Office Communication mailed 5/3/2007 for Application No. 11/140,676 (G0744.70031US04)
- Amendment filed in Response on 8/3/2007 for Application No. 11/140,676 (G0744.70031US04)
- Office Communication mailed 04/12/2000 for Application 09/175,683 (G0744.70037US02)
- Response filed 10/12/2000 for Application 09/175,683 (G0744.70037US02)
- Office Communication mailed 01/04/01 for Application 09/175,683 (G0744.70037US02)
- Response filed on 07/05/01 for Application 09/175,683 (G0744.70037US02)
- Office Communication mailed 09/28/01 for Application 09/175,683 (G0744.70037US02)
- Office Communication mailed 08/09/2002 for Application 09/175,683 (G0744.70037US02)
- Response filed on 02/10/2003 for Application 09/175,683 (G0744.70037US02)
- Office Communication mailed 03/10/2003 for Application 09/175,683 (G0744.70037US02)
- Amendment and Response filed on 07/22/2003 for Application 09/175,683 (G0744.70037US02)

- Office Communication mailed 04/13/2004 for Application 09/175,683 (G0744.70037US02)
- Amendment and Response filed 09/24/2004 for Application 09/175,683 (G0744.70037US02)
- Notice of Allowance with Interview Summary and Examiner's Amendment mailed 01/10/2005 for Application 09/175,683 (G0744.70037US02)
- Statement of Substance of Interview filed 01/21/2005 for Application 09/175,683 (G0744.70037US02)
- Notice of Allowance and Fees Due mailed 04/20/2007 for Application 09/175,683 (G0744.70037US02)

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. G0744.70031US03. A duplicate copy of this paper is enclosed.

Respectfully submitted,



Janice A. Vatland, Ph.D.  
Registration No.: 52,318  
WOLF, GREENFIELD & SACKS, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
(617) 646-8000

Date: October 24, 2007  
xndd



PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete If Known</b>	
				Application Number	10/082,018
				Filing Date	February 20, 2002
				First Named Inventor	Li-How Chen
				Art Unit	1632
				Examiner Name	D. Crouch
Sheet	1	of	2	Attorney Docket Number	G0744.70031US03

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,194,587	03-16-1993	Knapp et al.	
		US-5,225,534	07-06-1993	Certa	
		US-5,395,614	03-07-1995	Knapp et al.	
		US-5,543,323	08-06-1996	Ridley et al.	
		US-5,646,247	07-08-1997	Barnwell et al.	
		US-6,114,148	09-05-2000	Seed et al.	
		US-20020144299-A1	10-03-2002	Chen et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		AU 727864	01-04-2001	Hermann Bujard		
		EP 0923308	11-20-1997	Genzyme Transgenics Corp		
		WO 91/18922	12-12-1991	University of Nijmegen Schoenmakers		
		WO 95/17085	06-29-1995	Genzyme Transgenics Corp		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		CARVER et al., Expression of Human Alpha 1 Antitrypsin In Transgenic Sheep. Cytotechnology. 1992;9(1-3):77-84.	
		ESKRIDGE et al., The NH2 terminus of preproinsulin directs the translocation and glycosylation of a bacterial cytoplasmic protein by mammalian microsomal membranes. J. Cell. Biol. 103(6):2263-2272 (1996)	
		HIRABAYASHI et al., Transgene Expression In Mammary Glands of Newborn Rats. Mol. Reprod. Dev. 1996 Feb;43(2):145-9.	
		HOLDER et al., The precursor to major merozoite surface antigens: structure and role in immunity. Prog. Allergy. 41:72-97 (1988).	
		KOTULA et al., Evaluation of foreign gene codon optimization in yeast: expression of a mouse IG kappa chain. Biotechnology 9(10):1386-1389	
		MARSHALL et al., Naturally occurring splicing variants of the hMSH2 gene containing nonsense codons identify possible mRNA instability motifs within the gene coding region, Biochimica et Biophysica Acta, 1996 Jul 31; 1308(1):88-92.	

Examiner Signature	Date Considered
--------------------	-----------------



PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/082,018
				Filing Date	February 20, 2002
				First Named Inventor	Li-How Chen
				Art Unit	1632
				Examiner Name	D. Crouch
Sheet	2	of	2	Attorney Docket Number	G0744.70031US03

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
		PETERSON et al., Variation in the precursor to the major merozoite surface antigens of Plasmodium falciparum. Mol. Biochem. Parasitol 27:291-302 (1988).		
		PRUNKARD et al., High-Level Expression of Recombinant Human Fibrinogen In the Milk of Transgenic Mice. Nat. Biotechnol. 1996 Jul;14(7):867-71.		
		REECK et al., Homology in proteins and nucleic acids: a terminology muddle and a way out of it. Cell 1987 Aug 28; 50:667.		
		VAN COTT et al., Affinity Purification of Biologically Active and Inactive Forms of Recombinant Human Protein C Produced In Porcine Mammary Gland. J. Mol. Recognit. 1996 Sep-Dec; 9(5-6):407-14.		
		WANG et al., Molecular cloning, gene organization and expression of rainbow trout ( <i>Oncorhynchus mykiss</i> ) inducible nitric oxide synthase (iNOS) gene. J. Biochem. 2001; 358:747-55.		
		ZIOMEK Minimization of Viral Contamination In Human Pharmaceuticals Produced in the Milk of Transgenic Goats. Dev. Biol. Stand. 1996;88:265-8		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>\*\*</sup> CITE NO.: Those document(s) which are marked with an double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

1258954\_1.DOC